

Message Text

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PAGE 01 STATE 009129
ORIGIN L-03

INFO OCT-01 EUR-12 ISO-00 JUSE-00 CA-01 /017 R

DRAFTED BY L/M:GALEHNER:JBM
APPROVED BY L/M:HFSHAMWELL
JUSTICE - M. STEIN
EUR/NE - W. NEWLIN
-----002312 130457Z/14

R 122242Z JAN 78
FM SECSTATE WASHDC
TO AMEMBASSY THE HAGUE

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E.O. 11652: N/A

TAGS: PDIP

SUBJECT: EXTRADITION TREATY - THE NETHERLANDS

REF: 77 HAGUE 6371 AND PREVIOUS

1. DEPARTMENT STILL BELIEVES THAT A NEW TREATY IS CLEARLY THE MOST PREFERABLE ALTERNATIVE. IN ADDITION, TO NARCOTICS OFFENSES WHICH ARE NOT COVERED, WE NOTE THAT KIDNAPPING OF ADULTS IS ALSO NOT COVERED. IN ADDITION, THE 1899 TREATY DOES NOT PROVIDE FOR RECIPROCAL REPRESENTATION IN EXTRADITION CASES BY OFFICIALS OF THE TWO GOVERNMENTS. THERE ARE OTHER SERIOUS DEFICIENCIES IN THE 1899 AGREEMENT WHICH NEED CORRECTING.

2. HOWEVER, DEPARTMENT CONCURS WITH EMBASSY THAT WE SHOULD LEAVE DOOR OPEN FOR LESS AMBITIOUS UNDERTAKING THAN NEGOTIATION OF A NEW TREATY, IF THE GON INSISTS.

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3. FROM U.S. POINT OF VIEW, AMENDMENT PROCESS REQUIRES U.S. SENATE ADVICE AND CONSENT. THEREFORE, WE SEE NO REAL PROCEDURAL ADVANTAGE TO MERELY AMENDING TREATY.

4. EMBASSY REQUESTED TO REPORT ON STATUS OF GON THINKING OF THIS MATTER.

5. F.Y.I. DEPARTMENT HAS LEARNED THAT DUTCH INVESTIGATORS ARE LOOKING INTO LEADS IN THE U.S. CONCERNING THE LOCATION OF KIDNAPPERS OF RECENTLY KIDNAPPED DUTCH INDUSTRIALIST. AS MENTIONED ABOVE, SINCE KIDNAPPING IS NOT COVERED IN THE TREATY, WE WOULD NOT, UNDER THE 1899 TREATY, BE ABLE TO EXTRADITE TO THE NETHERLANDS FUGITIVES WANTED FOR KIDNAPPING IF THEY ARE LOCATED IN THE U.S. A NEW TREATY, IF IT COVERED KIDNAPPING, WOULD PERMIT US TO ACCEPT AN EXTRADITION REQUEST EVEN IF THE CRIME WAS COMMITTED PRIOR TO ENTRY INTO FORCE OF THE AGREEMENT. END
F.Y.I. CHRISTOPHER

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Message Attributes

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Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: EXTRADITION
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Copy: SINGLE
Draft Date: 12 jan 1978
Decapton Date: 01 jan 1960
Decapton Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
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Disposition History: n/a
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